

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN D. D. N. J. NOS. 5381-5400

Adulteration, Section 501 (b), the article purported to be and was represented as a drug, the name of which is recognized in an official compendium (United States Pharmacopeia or National Formulary), and its strength differed from the standard set forth in such compendium; Section 501 (c), the article was not subject to the provisions of Section 501 (b), and its strength differed from, or its purity or quality fell below, that which it purported or was represented to possess.

Misbranding, Section 502 (a), the labeling of the article was false and misleading; Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

New-drug violation, Section 505 (a), the article was a new drug within the meaning of Section 201 (p), which was introduced into interstate commerce, and an application filed pursuant to Section 505 (b) was not effective with respect to such drug.

NEW DRUG SHIPPED WITHOUT EFFECTIVE APPLICATION

5381. Pega Palo vine. (F. D. C. No. 40311. S. No. 65-347 M.)

QUANTITY: 68 pliofilm pkgs. at Elyria, Ohio.

SHIPPED: 3-30-57, from A-1 Import Co., Chicago, Ill., by Joe C. George, Jr.

LABEL IN PART: "Pega Palo Vine Packed by A-1 Import Company Chicago, Illinois Contents: 7 grams."

RESULTS OF INVESTIGATION: Examination of the article disclosed that it was *Pega Palo vine (Rhynchosia pyramidalis)*.

LIBELED: 6-4-57, N. Dist. Ohio.

CHARGE: 502 (f) (1)—the labeling of the article, when shipped and while held for sale, failed to bear adequate directions for use as an aphrodisiac, which was the purpose for which the article was intended; and 505 (a)—the article was a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 7-23-57. Default—destruction.

5382. Pega Palo vine. (F. D. C. No. 40312. S. No. 65-346 M.)

QUANTITY: 38 pliofilm pkgs. at Canton, Ohio.

SHIPPED: 3-30-57, from A-1 Import Co., Chicago, Ill., by Joe C. George, Jr.

LABEL IN PART: "Pega Palo Vine Packed by A-1 Import Company Chicago, Illinois."

ACCOMPANYING LABELING: Reprints entitled "Pega Palo The Vine That Makes You Virile" and streamers entitled "Pega Palo Cocktails."

RESULTS OF INVESTIGATION: Examination of the article showed it to be *Pega Palo vine (Rhynchosia pyramidalis)*.

LIBELED: 6-7-57, N. Dist. Ohio.

CHARGE: 502 (f) (1)—the labeling of the article, when shipped and while held for sale, failed to bear adequate directions for use as an aphrodisiac, which was the purpose for which the article was intended; and 505 (a)—the article was a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 7-23-57. Default—destruction.